

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DUKHAN IQRAA JIHAD MUMIN,

Plaintiff,

8:12CV313

V.

MAYO, Officer, all defendants sued in individual and official capacity, CRONIN, Officer, all defendants sued in individual and official capacity, LANCASTER COUNTY SHERIFF'S OFFICE, all defendants sued in individual and official capacity, LINCOLN POLICE DEPARTMENT, all defendants sued in individual and official capacity, ERIC MILLER, all defendants sued in individual and official capacity, LANCASTER COUNTY ATTORNEY, all defendants sued in individual and official capacity, and COUNTY OF LANCASTER,

Defendants.

ORDER

On March 26, 2013, the Court stayed this matter until Plaintiff's state court criminal proceeding, *Nebraska v. Mumin*, Case No. CR11-954, and any appeal therefrom, was resolved. ([Filing 22.](#)) On September 9, 2013, Plaintiff filed a status report indicating that he had appealed his state court conviction. ([Filing 23.](#))

On October 18, 2013, in response to Plaintiff's status report, the Court ordered that this case remain stayed. ([Filing 25](#).) The Court directed Plaintiff to file another report no later than March 17, 2014, advising as to the status of Plaintiff's state court appeal. (*Id.*) In the order, the Court stated that if Plaintiff's appeal was resolved before March 17, 2014, Plaintiff was to notify the Court, in writing, whether he would like to reopen this proceeding. (*Id.*) Plaintiff was to do so within thirty days after the appeal was resolved. (*Id.*)

Plaintiff did not file a status report on March 17, 2014, as directed by the Court.

However, on April 3, 2014, Plaintiff filed a request for leave to file a supplemental complaint. ([Filing 26](#).) Defendants Deputy Jason Mayo and the County of Lancaster filed an objection to Plaintiff's request, asserting that this case has been stayed pending final adjudication of Plaintiff's state court action. ([Filing 28](#).)

To the Court's knowledge, Plaintiff's state court appeal has not been resolved. Therefore, in accordance with the previous orders entered in this case,

IT IS ORDERED:

1. Plaintiff's Request for Leave to File Supplemental Complaint ([filing 26](#)) is denied.
2. Defendants' Objection to Request for Leave to File Supplemental Complaint ([filing 28](#)) is sustained.
3. This case shall remain administratively closed as previously ordered.
4. By June 17, 2014, Plaintiff must file a written status report detailing the status of the state court appeal.
5. The Clerk of Court is directed to set a case management deadline in this case using the following text: June 17, 2014 - deadline for Plaintiff to file written status report.
6. Plaintiff shall notify the Court, in writing, whether he would like to reopen this matter within thirty days after the state court appeal is resolved. Plaintiff is warned that if he fails to move to reopen this matter, as directed by the Court, the Court may decline to reopen this matter and enter judgment against him for failing to follow this Court's orders.

DATED April 17, 2014.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**